

**FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 20, 2003**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Rydalch. Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jonathan Sater, Page.

Approval of Journal

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

February 18, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 33, H 86, H 90, and H 91

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

February 19, 2003

Mr. Speaker:

I transmit herewith **S 1106** and **S 1056** which have passed the Senate.

WOOD, Secretary

S 1106 and **S 1056** were filed for first reading.

Report of Standing Committees

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 279** and **H 280** and House Amendments to **H 71**, **H 62**, **H 125**, and **H 169**.

FIELD(18), Chairman

H 279 and **H 280** were referred to the Revenue and Taxation Committee.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 3**, as amended, and **H 72**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 3**, as amended, and **H 72**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 71**, as amended, **H 62**, as amended, **H 125**, as amended, and **H 169**, as amended.

FIELD(18), Chairman

H 71, as amended, **H 62**, as amended, **H 125**, as amended, and **H 169**, as amended, were filed for first reading of engrossed bills.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 1** and **HCR 8** to the Secretary of State at 12:02 p.m., as of this date, February 19, 2003.

FIELD(18), Chairman

February 19, 2003

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 187** and **H 188** and recommend that they do pass.

TILMAN, Chairman

H 187 and **H 188** were filed for second reading.

February 19, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 171** and recommend that it do pass.

FIELD(18), Chairman

H 171 was filed for second reading.

February 19, 2003

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **HJM 3** and recommend that it do pass.

BLACK, Chairman

HJM 3 was filed for second reading.

February 19, 2003

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **HJM 2** and **H 253** and recommend that they do pass.

STEVENSON, Chairman

HJM 2 and **H 253** were filed for second reading.

February 19, 2003

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 211**, **H 209**, and **H 66** and report them back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

H 211, **H 209**, and **H 66** were placed on General Orders for consideration.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 76** and recommend that it do pass.

CROW, Chairman

H 76 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 24 BY WAYS AND MEANS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF TRUCK ROUTES IN NORTHERN IDAHO FROM BONNERS FERRY SOUTH TO GRANGEVILLE FOR POSSIBLE ADDITION TO THE MAP OF ROUTES APPROVED FOR USE BY VEHICLES CARRYING LOADS UP TO ONE HUNDRED TWENTY-NINE THOUSAND POUNDS, AND TO CONSIDER THE FEASIBILITY OF MAKING SIGNIFICANT IMPROVEMENTS TO THOSE ROUTES CURRENTLY NOT APPROVED FOR USE BY EXTRA-LENGTH VEHICLE COMBINATIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, it is important to ensure that Idaho's truck freight transportation system is able to efficiently serve the state's various economic and public interests; and

WHEREAS, there is not complete agreement among the various trucking operations in the state with regard to the advisability of allowing vehicles weighing up to one hundred twenty-nine thousand pounds and of extra-length to use all Idaho roads; and

WHEREAS, the differing viewpoints revolve largely around geographical, safety and economic issues; and

WHEREAS, for trucking operations in northern Idaho, there is particular concern for damage to bridges, and damage to roads that are not built to consistently withstand heavier weights as are the generally flat, even and ungrooved roads that are more typical of roads in southern Idaho; and

WHEREAS, there are safety issues unique to northern Idaho, such as mountainous roads which tend to have more curves and often inadequate width to accommodate longer, heavier trucks; stretches of roads with no passing lanes; more annual road damage due to severe weather conditions; and longer, steeper grades; and

WHEREAS, there are economic issues to consider which place some Idaho haulers at a competitive disadvantage with commercial trucking operations in surrounding states and Canada that operate under different weight and size restrictions; and

WHEREAS, there is a need to more closely examine these issues as they affect the several geographical regions of the state, and the barriers to an effective north-south corridor.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of truck routes in northern Idaho from Bonners Ferry south to Grangeville for possible addition to the map of routes approved for use by vehicles carrying loads up to one hundred twenty-nine thousand pounds, and to consider the feasibility of making significant improvements to those routes currently not approved for use by extra-length vehicle combinations. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochair of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-seventh Idaho Legislature.

HOUSE JOINT MEMORIAL NO. 5 BY WAYS AND MEANS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, since congressional enactment of the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA), states of the United States, including Idaho, have been preempted by operation of Section 1023 of ISTEA, from determining truck combination weights on the Interstate Highway System within their respective jurisdictions; and

WHEREAS, this has prevented Idaho shippers, consumers, motor carriers and motorists from realizing any of the benefits inherent in a greater use of longer combination vehicles, among which are reduction in truck traffic, reduction in axle weights, extension of pavement life, reduction in exhaust emissions, reduction in traffic fatalities, reduction in shipping costs, and improved economic competitiveness with states that had more efficient combinations in effect at the time the arbitrary date for change was set; and

WHEREAS, Idaho must have the advantages of such benefits as cited and, in addition, must have the flexibility to set combination weights for routes, currently unbuilt, but which might be built prior to the time the next federal highway bill expires; and

WHEREAS, it must be conceded that the "freeze" has not resulted in any benefit for the federal government or any state and has no potential to be of any benefit if it were allowed to continue; and

WHEREAS, the prestigious regional organization of which the state of Idaho is such an integral part, the Multistate Highway Transportation Agreement, has, since the enactment of the "freeze," called for an end to this mandate; and

WHEREAS, Special Report No. 267, released in 2002 by the distinguished Transportation Research Board, calls for states to become progressive with their truck size and weight laws, in conformance with the federal bridge formula B, an act that cannot be achieved without an end to the "freeze."

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the federal government to eliminate the preemption which prevents Idaho from determining truck weights on interstate highways within its jurisdiction and allow Idaho to fulfill its obligation to its citizens to promote efficient freight transportation on all Idaho highways.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HCR 24 and **HJM 5** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 281
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO THE PRIMARY AND PREVENTIVE CARE GRANT PROGRAM; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 84, TITLE 39, IDAHO CODE, TO DEFINE TERMS, TO ESTABLISH THE IDAHO PRIMARY AND PREVENTIVE CARE GRANT PROGRAM, TO PROVIDE FOR SERVICE GRANT APPLICATIONS AND AWARDS, PERMISSIBLE USES OF SERVICE GRANT MONEYS AND TO PROVIDE FOR ANNUAL REPORTS, TO PROVIDE FOR A PROGRAM BOARD, TO PROVIDE FOR THE CREATION OF THE PRIMARY AND PREVENTIVE CARE FUND AND TO PROVIDE FOR DUTIES OF THE PROGRAM BOARD AND THE DEPARTMENT OF HEALTH AND WELFARE.

**HOUSE BILL NO. 282
BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO PERMITS FOR OVERWEIGHT VEHICLE LOADS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE FOR ISSUANCE OF PERMITS IN LIEU OF A REGISTRATION FEE FOR VEHICLES WEIGHING UP TO A MAXIMUM OF ONE HUNDRED TWENTY-NINE THOUSAND POUNDS GROSS VEHICLE WEIGHT AND TO EXTEND THE SCHEDULE OF THIRTY DAY TEMPORARY PERMITS; AND AMENDING SECTION 49-1004, IDAHO CODE, TO PROVIDE LIMITATIONS ON SPECIAL ANNUAL OVERWEIGHT PERMITS ISSUED FOR WEIGHTS IN EXCESS OF ONE HUNDRED FIVE THOUSAND FIVE HUNDRED POUNDS BUT NOT EXCEEDING ONE HUNDRED TWENTY-NINE THOUSAND POUNDS, TO DELETE PROVISIONS FOR SPECIAL PILOT PROJECT ROUTE PERMITS AND TO PROVIDE PROPER TERMINOLOGY AND A CODE REFERENCE.

**HOUSE BILL NO. 283
BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO LOCAL LAND USE PLANNING; AMENDING SECTION 67-6529, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REGULATION OF THE SITING OF CERTAIN CONFINED ANIMAL FEEDING OPERATIONS BY BOARDS OF COUNTY COMMISSIONERS, TO REVISE PROVISIONS RELATING TO PUBLIC HEARINGS RELATING TO SITING OF CERTAIN CONFINED ANIMAL FEEDING OPERATIONS AND TO PROVIDE FOR THE REJECTION OF A SITE BY BOARDS OF COUNTY COMMISSIONERS.

HOUSE BILL NO. 284
BY WAYS AND MEANS COMMITTEE
 AN ACT

RELATING TO WATER RIGHTS; AMENDING SECTION 42-202B, IDAHO CODE, TO PROVIDE FOR CERTAIN APPLICATION OF DEFINITIONS AND TO DEFINE A TERM; AMENDING SECTION 42-203A, IDAHO CODE, TO REVISE CRITERIA TO BE CONSIDERED BY THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES ASSOCIATED WITH THE DETERMINATION OF APPLICATIONS FOR THE APPROPRIATION OF WATER AND TO CLARIFY THE MANNER IN WHICH MINIMUM STREAM FLOW WATER RIGHTS MAY BE ESTABLISHED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 42-222, IDAHO CODE, TO REVISE CRITERIA TO BE CONSIDERED BY THE DIRECTOR ASSOCIATED WITH THE DETERMINATION OF APPLICATIONS TO CHANGE THE POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE OR NATURE OF USE OF WATER UNDER ESTABLISHED RIGHTS AND TO CLARIFY THE MANNER IN WHICH MINIMUM STREAM FLOW WATER RIGHTS MAY BE ESTABLISHED; AMENDING SECTION 42-240, IDAHO CODE, TO REVISE CRITERIA TO BE CONSIDERED BY THE DIRECTOR ASSOCIATED WITH THE DETERMINATION OF APPLICATIONS TO MAKE CERTAIN EXCHANGES OF WATER; AND AMENDING SECTION 42-1763, IDAHO CODE, TO REVISE CRITERIA TO BE CONSIDERED BY THE DIRECTOR ASSOCIATED WITH THE DETERMINATION OF PROPOSED RENTALS OF WATER FROM THE WATER SUPPLY BANK.

HOUSE BILL NO. 285
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO PROFESSIONAL PERSONNEL OF PUBLIC SCHOOL DISTRICTS; AMENDING SECTION 33-205, IDAHO CODE, TO PROVIDE GENERAL REFERENCE TO A SCHOOL SUPERINTENDENT; AMENDING SECTION 33-513, IDAHO CODE, TO PROVIDE THAT IT SHALL BE THE DUTY OF EACH SCHOOL DISTRICT BOARD OF TRUSTEES TO WORK JOINTLY WITH OTHER SCHOOL DISTRICT BOARDS OF TRUSTEES IN THE SAME COUNTY TO EMPLOY A COUNTY SUPERINTENDENT FOR ALL THE SCHOOL DISTRICTS IN THE COUNTY BY NO LATER THAN THE BEGINNING OF THE 2003-2004 SCHOOL YEAR, TO PROVIDE THAT SCHOOL DISTRICTS WITH TEN THOUSAND OR MORE STUDENTS MAY HIRE A SEPARATE SUPERINTENDENT FOR THAT DISTRICT, TO PROVIDE FOR REPRESENTATION OF THE DISTRICT OR COUNTY BY THE SUPERINTENDENT OF THE ENTITY, TO PROVIDE FOR EVALUATION OF SUPERINTENDENTS BY THE APPROPRIATE BOARD OR BOARDS OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 33-517, 33-1001, 33-1003, 33-5110 AND 33-5306, IDAHO CODE, TO PROVIDE GENERAL REFERENCE TO A SCHOOL SUPERINTENDENT; AMENDING SECTION

39-8008, IDAHO CODE, TO PROVIDE A GENERAL REFERENCE TO A SCHOOL SUPERINTENDENT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 39-8009 AND 39-8011, IDAHO CODE, TO PROVIDE GENERAL REFERENCE TO A SCHOOL SUPERINTENDENT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 286
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO SCHOOL DISTRICTS; AMENDING SECTION 33-304, IDAHO CODE, TO PROVIDE THAT DESIGNATION OF THE HOME COUNTY IN A JOINT SCHOOL DISTRICT SHALL BE BASED ON THE DISTRICT'S TOTAL ADJUSTED MARKET VALUE FOR ASSESSMENT PURPOSES; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-310C, IDAHO CODE, TO REQUIRE CONSOLIDATION OF SCHOOL DISTRICTS BASED ON THE POPULATION OF THE COUNTY WITHIN WHICH THE SCHOOL DISTRICTS LIE INCLUDING THOSE FOR WHICH THE COUNTY HAS BEEN DESIGNATED THE HOME COUNTY OF A JOINT SCHOOL DISTRICT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 287
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO CALCULATION OF SCHOOL DISTRICT ADMINISTRATIVE STAFF ALLOWANCE; AMENDING SECTION 33-1004, IDAHO CODE, TO REDUCE THE FACTOR BY WHICH SUPPORT UNITS ARE MULTIPLIED TO DETERMINE THE ADMINISTRATIVE STAFF ALLOWANCE AND TO DELETE THE PROVISIONS WHICH REQUIRE A DISTRICT TO DEMONSTRATE EMPLOYMENT OF THE NUMBER OF ADMINISTRATIVE STAFF ALLOWED OR, IF THE DISTRICT DOES NOT EMPLOY THAT NUMBER, TO REDUCE STAFF ALLOWANCE ACCORDINGLY AND TO DELETE THE LIMIT ON PERCENTAGE OF ADMINISTRATIVE STAFF WHICH MAY BE NONCERTIFICATED STAFF.

HOUSE BILL NO. 288
BY EDUCATION COMMITTEE
 AN ACT

RELATING TO GOVERNANCE OF SCHOOLS; AMENDING SECTION 33-512, IDAHO CODE, TO FURTHER CLARIFY DUTIES OF THE BOARD OF TRUSTEES TO EXCLUDE CERTAIN MATERIALS FROM THE SCHOOLS.

HOUSE BILL NO. 289
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO PHARMACEUTICAL MARKETERS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1751, IDAHO CODE, TO SET FORTH DISCLOSURE PROVISIONS FOR PHARMACEUTICAL MANUFACTURERS AND

MARKETERS, TO PROVIDE FOR CONFIDENTIALITY OF INFORMATION, TO PROVIDE EXEMPTIONS, TO PROVIDE FOR CIVIL ACTIONS AND CIVIL PENALTIES AND TO DEFINE TERMS.

H 281, H 282, H 283, H 284, H 285, H 286, H 287, H 288, and H 289 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1106, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Environmental Affairs Committee.

S 1056, by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

First Reading of Engrossed Bills

H 71, as amended, and **H 169**, as amended, by Judiciary, Rules, and Administration Committee, were introduced, read the first time by title and filed for second reading.

H 62, as amended, by Mr. Speaker, requested by Department of Insurance, was introduced, read the first time by title and filed for second reading.

H 125, as amended, by Resources and Conservation Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 255, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 256, H 257, and H 275, by Ways and Means Committee, were read the second time by title and filed for third reading.

S 1035, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

H 155, H 156, and H 102, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 230 and H 229, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

H 12, by Mr. Speaker, requested by Board of Medicine, was read the second time by title and filed for third reading.

HCR 17, by Health and Welfare Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that **H 198** retain its

place on the Third Reading Calendar until Wednesday, February 26, 2003. There being no objection, it was so ordered.

H 92 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

RECESS

Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Rydalch. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 92 was before the House for final consideration.

Mr. Smith(24) asked unanimous consent that **H 92** be placed on General Orders for consideration. Mrs. Field(18) objected.

Mr. Smith(24) moved that **H 92** be placed on General Orders for consideration. Seconded by Mr. Bieter.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Andersen, Barrett, Bieter, Boe, Clark, Cuddy, Douglas, Henbest, Jaquet, Kulczyk, Langhorst, Martinez, Mitchell, Naccarato, Ringo, Robison, Sali, Sayler, Smith(30), Smith(24), Trail, Wood. Total -- 22.

NAYS -- Barraclough, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Roberts, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 47.

Absent and excused -- Rydalch. Total -- 1.

Total -- 70.

Whereupon the Speaker declared the motion failed.

Pursuant to Rule 38(3), Ms. Henbest disclosed a conflict of

interest regarding **H 92**.

The question being, "Shall **H 92** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Roberts, Rydalch, Saylor, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- Andersen, Bieter, Clark, Kulczyk, Langhorst, Martinez, Mitchell, Naccarato, Ringo, Robison, Sali, Smith(24). Total -- 12.

Paired Vote:

AYE -- Rydalch. NAY -- Naccarato.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 92** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:45 a.m., Friday, February 21, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:34 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk